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Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
New Jersey Board of Nursing
124 Halsey Street, 6th Floor, Newark, NJ 07102
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July 1, 2015

VIA REGULAR AND CERTIFIED MAIL

Yomary Jerez, C.H.H.A.
168 Lynd Street
Perth Amboy, NJ 08861

RE: **I/M/O Yomary Jerez, C.H.H.A.**
Final Order of Discipline

Dear Ms. Yomary Jerez:

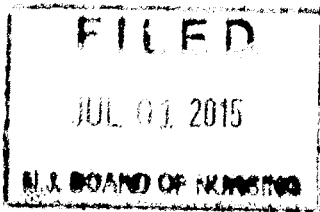
Enclosed please find a copy of the Final Order of Discipline ("FOD") filed with the New Jersey State Board of Nursing ("Board") in the above referenced matter. Please read this Order carefully, as you may be subject to additional discipline if you do not comply with the terms of the Order. You can obtain information about the status of your certification by calling the Board office at (973) 504-6430.

Sincerely yours,

Joanne Leone, Acting Executive Director,
State Board of Nursing

Encl.

cc: Shirley Dickstein, DAG
Susan Carboni, DAG



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	
	:	
Yomary Jerez, C.H.H.A.	:	ADMINISTRATIVE ACTION
Certificate No. 26NH10331300	:	
	:	
	:	FINAL ORDER OF
	:	DISCIPLINE
HOMEMAKER HOME HEALTH AIDE	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Yomary Jerez ("Respondent") is a certified homemaker-home health aide in the State of New Jersey and has been a licensee at all times relevant hereto.

2. Upon receipt of a flagging notice indicating that Respondent was arrested on May 20, 2014 by the Perth Amboy Police Department for violation of N.J.S.A. 2C:33-4, Harassment,

the Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Perth Amboy, New Jersey, via regular and certified mail on or about June 6, 2014. A response was due within twenty (20) days. The regular mailing was not returned; the certified mailing was returned as unclaimed.

3. To date, Respondent has not responded to the Board's request for information.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on December 31, 2014, provisionally suspending respondent's certification to practice as a homemaker-home health aide in the State of New Jersey, and imposing a \$200 civil penalty. A copy of the Order was served upon respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th day following

entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

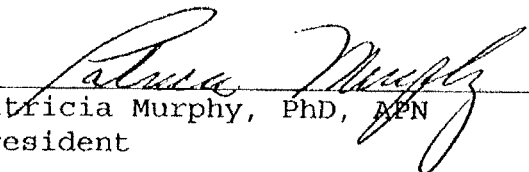
Respondent replied to the Provisional Order, and provided documentation of dismissal of the charges against her, and other information and documents requested in the Board's original letter of inquiry. Respondent also sent in payment of the \$200 civil penalty set forth in the Provisional Order. Suspension of respondent's certification is no longer applicable, as respondent has substantially complied with the Board's request for information. However, as respondent's delay in cooperating with the Board's request for information resulted in a delay in the investigation, and in the Board's expending resources unnecessarily by issuing an order to obtain the information, the monetary penalty set forth in the Provisional Order is warranted.

ACCORDINGLY, IT IS on this 1st day of July, 2015,

ORDERED that:

1. Respondent is hereby assessed a civil penalty in the amount of two hundred dollars (\$200). As payment has already been provided by respondent, no further action is required on respondent's part with respect to this provision.

NEW JERSEY STATE BOARD OF NURSING

By: 
Patricia Murphy, PhD, APN
President